

No. 19-1594

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*In the* **United States Court of Appeals**  
*for the* **Eighth Circuit**

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John Doe,

Plaintiff – Appellant,

v.

University of St. Thomas,

Defendant – Appellee,

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ON APPEAL FROM  
THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA  
Civ. No. 16-cv-1127, Hon. John R. Tunheim

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**AMICUS CURIAE'S MOTION FOR AN EXPEDITED DECISION  
ON ITS MOTION FOR LEAVE TO FILE AN AMICUS BRIEF  
AND AN EXTENSION OF TIME TO FILE ITS BRIEF**

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*Counsel for Minnesota Private College Council*

Amicus Curiae Minnesota Private College Council (“MPCC”) respectfully moves the Court for an expedited ruling on its motion for leave to file an amicus brief and for an extension of time to file its brief. In support thereof, MPCC states:

1. On June 17, 2019, MPCC sought leave from this Court to file an amicus brief in this appeal, pursuant to Fed. R. App. P. 29(a)(2).
2. MPCC also moved the Court under 8th Cir. Local R. 27A(a)(2) to extend the deadline for filing their brief by 14 days, up to and including July 12, 2019.
3. Appellant John Doe responded, objecting to MPCC’s motion for an extension of time to file on grounds that the undersigned needn’t write the brief; instead “other attorneys at Faegre Baker Daniels could have filed MPCC’s Proposed Amicus Brief within the time frame contemplated by FRCP [sic] 29.”
4. Importantly, Appellant did not seem to object to MPCC’s request for leave to file the amicus brief, stating only that he couldn’t “ascertain whether said brief is contemplated by FRCP [sic] 29”—a question which is for this Court to decide.
5. The current deadline for MPCC to file its brief is June 28, 2019.
6. An extension will still provide the same salutary benefits set out in MPCC’s June 17 motion.

WHEREFORE, MPCC respectfully requests an expedited ruling from this Court allowing MPCC to appear as amicus curiae and extending the deadline for the filing of its amicus brief to July 12, 2019.

Dated: June 26, 2019

FAEGRE BAKER DANIELS LLP

/s/ Sean R. Somermeyer

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*Counsel for Minnesota Private College Council*

## CERTIFICATE OF COMPLIANCE

I hereby certify that Amicus Curiae's motion for an expedited decision on its motion for leave to file its amicus brief and to extend the deadline for filing its amicus brief complies with the type-volume limitation of Fed. R. App. P. 32 because the Motion contains 249 words. The Motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this motion has been prepared in a proportionally spaced typeface using Microsoft Word Professional Plus 2010, in 14-Garamond font.

/s/ Sean R. Somermeyer  
*Counsel for Minnesota Private College Council*

## **CERTIFICATE OF SERVICE**

I certify that on June 26, 2019, a copy of the foregoing Amicus Curiae's Motion for an Expedited Decision on its Motion for Leave to File an Amicus Brief and an Extension of Time to File its Brief was filed electronically with the Clerk of the Court using the CM/ECF system, with will send notice of such filing to all registered parties.

/s/ Sean R. Somermeyer  
*Counsel for Minnesota Private College Council*